

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

DEVERICK SCOTT  
ADC #131042

PLAINTIFF

v. **No. 5:19-cv-101-DPM**

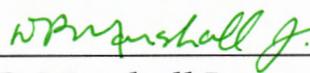
PAMELA COOK,  
Sergeant, Varner Supermax

DEFENDANT

**ORDER**

On *de novo* review, the Court adopts Magistrate Judge Kearney's recommendation, No 28, and overrules Scott's objections, No 29. FED. R. CIV. P. 72(b)(3). Scott's grievance itself stated that he'd set his cell on fire—not just on June 6th, but on three occasions. No 21-1. That amounts to "some evidence" supporting Cook's disciplinary action. Scott's retaliation claim therefore fails. *Hartsfield v. Nichols*, 511 F.3d 826, 829 (8th Cir. 2008). His motion for summary judgment, No 17, is denied; and Cook's cross-motion for summary judgment, No 20, is granted. Scott's complaint will be dismissed with prejudice.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

30 January 2020